

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 187, “Aftercare Services and Supports,” Iowa Administrative Code.

These amendments:

- Expand the definition of “foster care experience” used to determine eligibility for the aftercare services program, which assists youth leaving foster care in their successful transition to adulthood.
- Lower the employment requirements for aftercare eligibility from 25 hours per week to 80 hours per month. This requirement matches the federal guidelines for foster care eligibility for youth over the age of 18 and will provide for a smoother transition should the Department choose to expand eligibility for foster care.
- Exclude nonrecurring lump-sum payments from consideration in determining a youth’s eligibility for a preparation for adult living (PAL) stipend. Such payments include refunds of security deposits or retroactive payment of benefits such as Supplemental Security Income or unemployment insurance.
- Require recoupment of PAL benefits that are continued pending an appeal of a decision to reduce or cancel the stipend if the Department’s decision is upheld, and provide for recoupment through reduction of any future stipends. These provisions mirror those in effect for other cash assistance programs.

Under these amendments, youth who are at least 16 years old when they leave foster care for subsidized guardianship or for adoption are eligible for aftercare services when they reach the age of 18. A psychiatric medical institution for children (PMIC) is also a qualifying foster care placement for aftercare services eligibility. Aftercare services may include development of an individual self-sufficiency plan, life skills training, vendor payments to meet direct expenses necessary in order for the youth to meet the goals of the plan, follow-up by program staff, ongoing assessment, and case management.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on February 24, 2010, as **ARC 8536B**. The Department received one comment from the Coalition for Family and Children’s Services in Iowa, which was in support of these amendments. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on April 14, 2010.

These amendments are intended to implement Iowa Code section 234.6 and Public Law 110-351, the Fostering Connections to Success and Increasing Adoptions Act of 2008.

These amendments shall become effective on July 1, 2010.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [187.2(3), 187.11(4), 187.12] is being omitted. These amendments are identical to those published under Notice as **ARC 8536B**, IAB 2/24/10.

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[For replacement pages for IAC, see IAC Supplement 5/5/10.]